



STATE OF MAINE

MAINE STATE BOARD OF EDUCATION

Department of Education
AUGUSTA, MAINE 04333

The State Board of Education held a regular monthly meeting on October 21, 2002, at Capital Area Technical Center, Augusta with the following members present: Chair Jean Gulliver, Vice Chair Philip Dionne, Jim Rier, Wes Bonney, Ken Allen, Jack Norris, Janet Tockman, and Ellie Multer. Excused: Joyce McPhetres

Also present were: Judith Lucarelli, Deputy Commissioner; Judy Malcolm, Team Leader, Support Systems Subteam; Scott Brown, AIA, School Construction; and Rhonda Casey, Clerk.

CALLED TO ORDER:

The meeting was called to order at 1:00 p.m.

REGULAR BUSINESS:

PROPOSED AMENDMENTS TO STATE BOARD RULES CHAPTER 61 – MAJOR CAPITAL SCHOOL CONSTRUCTION PROJECTS

Statement of Facts: The Department of Education and the State Board of Education established an ad hoc committee made up of Department employees, two consultants, and one Board Member. The charge of the committee was to review the existing State Board Rules Chapter 61 and make recommendations for changes to the State Board. That committee has met and drafted extensive amendments. What follows is a brief overview of the amendments made:

- Reorganization of the Rules to better reflect the actual sequence of events involved in the Major Capital School Construction Process;
- New Section 1 – Definitions;
- Clarification of the State Board approval stages;
- Elimination of the Major Capital Improvement Process Flow Chart as part of the Rule. This will enable small changes to be made in the process as needed without revising the rules. The Chart is retained by reference and is available on line and at the Department;
- Clarification of the application process and minimum adjustments to the facility evaluation Rating System to reflect experience gained to date in the rating process;

- Section 3 makes permanent the “hold harmless” provision so that schools are not penalized for going ahead with needed health and safety repairs. Original hold harmless provision in laws has “sunset”;
- Clarification of the requirement that tuition students can only be counted with regard to size of a facility if a long-term agreement is in effect;
- Clarification of the Priority List and the Special Priority List;
- New provision requiring applying schools to submit a Facilities Maintenance Plan;
- Changes to Financing School Construction (renumbered as Section 11) and Bonding of Major Capital Improvement of School Construction Projects (renumbered as Section 12).

Recommendations: It is recommended that the State Board: [1] vote to begin the process of repealing the existing Chapter 61 and replacing it with the proposed Chapter 61 in accordance with the Administrative Procedure Act; [2] establish the date, time, and location of the public hearing required by the Administrative Procedure Act; and [3] establish the deadline date for written comments.

MOVED by Phil Dionne, seconded by Wes Bonney, and voted eight in favor with one member absent to: (1) begin the process of repealing the existing Chapter 61 and replacing it with the proposed Chapter 61 in accordance with the Administrative Procedure Act; (2) establish the date, time, and location of the public hearing required by the Administrative Procedure Act; and (3) establish the deadline date for written comments.

PROPOSED AMENDMENTS TO STATE BOARD OF EDUCATION RULES CHAPTER 115, STANDARDS AND PROCEDURES FOR CERTIFICATION, AUTHORIZATION, AND APPROVAL OF EDUCATION PERSONNEL

It is important to note that the Board was given a detailed update of the numerous proposed changes to Chapter 115. Department staff and Jean Gulliver have spent many hours reviewing each page and making changes. After a lengthy discussion between Department staff and the Board, noted changes and concerns were recorded and acknowledged. The Board ultimately agreed that the Administrative Procedure Act process should begin to receive input

The following is a condensed list of changes/highlights:

- Types of certificates, basic, terms, the way DOE conducts certification requirements remains the same.
- Working with support systems issuing, two-year provisional certificates for a two-year induction process remains the same.
- Issuing the five-year certificate and the requirements to go through the local certification committee also remains the same.

- Basically the requirements that have changed are the actual requirements to get certified. The major change is that 24 semester hours of credit are required in a content area instead of a recipe of requirements.
- Other changes are in the content area assessment for music, art, vocational education, and general elementary. An assessment can be taken in place of the laundry list of courses for professional pedagogy with the exception of the exceptionality course, which is still required.
- Student teaching has not changed (15 weeks). Graduating from an approved institute and obtaining certification remains the same as well as the interstate agreement.
- Two new certificates have been added: (1) for athletic director, and (2) assistant administrator of special education.
- It was also recommended to meld the principal's certificate and the career and technical education certificate (directors certificate) into one, because the requirements were basically the same and they both act as a building administrator. The same melding concept applies to the assistant principal and assistant career and technical education director.
- Additional changes include: grammar, spelling, language consistency, and definition clarification.

MOVED by Phil Dionne, seconded by Ken Allen, and voted seven favor with one member abstaining and one member absent to establish the dated, time, and location of the public hearing in accordance with the Administrative Procedure Act, and establish the deadline date for written comments.

ADJOURNMENT:

State Board of Education unanimously agreed to adjourn the Monday, October 21, 2002, meeting at 4:15 p.m.